

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11	UNITED STATES OF AMERICA,)	No.: CR 05-00611 WHA
12	Plaintiff,)	
13	v.)	PROPOSED ORDER EXCLUDING
14	DALE SCOTT HEINEMAN,)	TIME UNDER THE SPEEDY TRIAL ACT
15	KURT F. JOHNSON,)	PURSUANT TO 18 U.S.C. §§ 3161(h)(7),
16	THE DOREAN GROUP,)	(h)(8)(A), AND (h)(8)(B)(iv)
17	WILIAM JULIAN,)	
18	FARREL J. LECOMPTE, JR.,)	OAKLAND VENUE
19	SARA J. MAGOON)	
20	a/k/a Credence, and)	
21	CHARLES DEWEY TOBIAS,)	
22	Defendants.)	

Based upon the record made at the parties' appearances before this Court on March 1 and 3, 2006, and the reasons set forth therein, the Court hereby FINDS the time from March 1, 2006 through March 14, 2006 excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (8)(B)(iv), in that the ends of justice are served and outweigh the best interest of the public and the defendants in a speedy trial by excluding this period of time for effective preparation by defendants Heineman and Johnson, taking into account the exercise of due diligence, to review the more than 30,000 pages of documents produced in compact disc/digital video disk format to both Heineman and Johnson for each of their review on a MP-3 or analogous electronic reading

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1 device (of which more than 6000 pages were also produced in hard-copy form to each defendant
 2 for review without an electronic device), for Heineman and Johnson to determine individually
 3 how they wish to proceed in the continued *Faretta* hearing regarding their respective rights to
 4 counsel.

5 Further, as determined on the record at the parties' appearance before this Court on
 6 February 28, 2006, the time between March 1, 2006 and March 14, 2006 is also excluded under
 7 the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7) as a period of delay where Heineman
 8 and Johnson are joined for trial with co-defendants Julian, LeCompte, Magoon and Tobias, and
 9 the time for the co-defendants has not run and no motion for severance has been granted.

10 Based on these findings, IT IS HEREBY ORDERED THAT the time from March 1,
 11 2006 to March 14, 2006 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§
 12 3161(h)(7), (h)(8)(A) and (h)(8)(B)(iv).

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 14 DATED: March ⁶~~3~~, 2006

